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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of:

12 ARLIE RICASA, ARLIE RICASA 2008,
13 and KINDE DURKEE,

14 Respondents.

FPPC No. 10/808

STIPULATION, DECISION AND ORDER

15 **STIPULATION**

16 Complainant Roman G. Porter, Executive Director of the Fair Political Practices Commission,
17 and Respondents Arlie Ricasa, Kinde Durkee, and Arlie Ricasa 2008 hereby agree that this stipulation
18 will be submitted for consideration by the Fair Political Practices Commission at its next regularly
19 scheduled meeting.

20 The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this
21 matter and to reach a final disposition without the necessity of holding an additional administrative
22 hearing to determine the liability of Respondents.

23 Respondents understand, and hereby knowingly and voluntarily waive, any and all procedural
24 rights set forth in Government Code sections 83115.5, 11503 and 11523, and in California Code of
25 Regulations, title 2, sections 18361.1 through 18361.9. This includes, but is not limited to the right to
26 appear personally at any administrative hearing held in this matter, to be represented by an attorney at
27 Respondents' own expense, to confront and cross-examine all witnesses testifying at the hearing, to

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1 subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over
2 the hearing as a hearing officer, and to have the matter judicially reviewed.

3 As described in Exhibit 1, it is further stipulated and agreed that Respondents Arlie Ricasa, Kinde
4 Durkee, and Arlie Ricasa 2008 violated the Political Reform Act by failing to report a loan received in
5 the amount of \$18,000, in violation of Government Code section 84211, subdivision (g) (1 count).
6 Exhibit 1, which is attached hereto and incorporated by reference as though fully set forth herein, is a
7 true and accurate summary of the facts in this matter.

8 Respondents agree to the issuance of the Decision and Order, which is attached hereto, and
9 Respondents agree to the Commission imposing upon them an administrative penalty in the amount of
10 \$2,000. A cashier's check or money order from one or more Respondents totaling said amount, made
11 payable to the "General Fund of the State of California," is/are submitted with this Stipulation as full
12 payment of the administrative penalty and shall be held by the State of California until the Commission
13 issues its Decision and Order regarding this matter. The parties agree that in the event the Commission
14 refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days
15 after the Commission meeting at which the Stipulation is rejected, all payments tendered by Respondents
16 in connection with this Stipulation shall be reimbursed to Respondents. Respondents further stipulate
17 and agree that in the event the Commission rejects the Stipulation and a full evidentiary hearing before

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1 the Commission becomes necessary, neither any member of the Commission, nor the Executive Director,
2 shall be disqualified because of prior consideration of this Stipulation.

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4 Dated: _____

Roman G. Porter, Executive Director
Fair Political Practices Commission

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7 Dated: _____

Arlie Ricasa, Individually and on Behalf of Arlie
Ricasa 2008, Respondents

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10 Dated: _____

Kinde Durkee, Respondent

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12 **DECISION AND ORDER**

13 The foregoing Stipulation of the parties "In the Matter of Arlie Ricasa, Arlie Ricasa 2008, and
14 Kinde Durkee," FPPC No. 10/808, including all attached exhibits, is hereby accepted as the final decision
15 and order of the Fair Political Practices Commission, effective upon execution below by the Chairman.

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17 IT IS SO ORDERED.

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19 Dated: _____

Chair, Fair Political Practices Commission